

## 5 Cultural Resource Management

*The National Park Service will preserve and foster appreciation of the cultural resources in its custody, and will demonstrate its respect for the people traditionally associated with those resources, through appropriate programs of research, planning, and stewardship.*

The National Park Service is steward of many of America's most important cultural resources. These resources are categorized as archeological resources, cultural landscapes, ethnographic resources, historic and prehistoric structures, and museum collections. The Service's cultural resource management program involves:

- Research to identify, evaluate, document, register, and establish basic information about cultural resources and traditionally associated groups;
- Planning to ensure that management processes for making decisions and setting priorities integrate information about cultural resources, and provide for consultation and collaboration with outside entities; and
- Stewardship to ensure that cultural resources are preserved and protected, receive appropriate treatments (including maintenance), and are made available for public understanding and enjoyment.

The cultural resource management policies of the national park system are derived from a suite of historic preservation, environmental, and other laws, proclamations, Executive orders, and regulations. A comprehensive list can be found in the handbook issued pursuant to Director's Order #28: Cultural Resource Management. Taken collectively, they provide the Service with the authority and responsibility for managing cultural resources in every unit of the national park system so that those resources may be unimpaired for future generations. Cultural resource management will be carried out in a manner consistent with these legislative and regulatory provisions, and with implementing policies and procedures such as the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716-740), and for Federal Agency Programs Pursuant to the National Historic Preservation Act (63 FR 20496-508).

Park superintendents and appropriately qualified cultural resource professionals will work together to carry out the Park Service's cultural resource management program. Other NPS staff and volunteers

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<sup>1</sup> For purposes of these *Management Policies*, social/cultural entities such as tribes, communities, and kinship units are "traditionally associated with a particular park when:

- The entity regards the park's resources as seminal to its development and continued existence as an ethnically distinct people; and
- The association has endured for at least two generations (40 years); and
- The association began prior to the establishment of the park.

See the Cultural Resources Management Handbook, chapter 10 "Ethnographic Resources," for further information.

participating in cultural resource research, planning, and stewardship activities will be supervised by full-performance-

level cultural resource professionals of the appropriate disciplines. Law enforcement professionals will consult with full-performance-level cultural resource professionals of the appropriate disciplines when investigating cultural resource crimes.

The Service will support its cultural resource professionals in maintaining and improving their disciplinary knowledge and skills and promoting their professionalism through continuing education, graduate-level courses, seminars, training, teaching, attendance at professional conferences, and other programs sponsored by professional or scholarly institutions. NPS personnel with cultural resource responsibilities will acquire and maintain the knowledge, skills, and abilities necessary to carry out those responsibilities. All occupational groups in or associated with cultural resource research, planning, and stewardship activities will complete the relevant cultural resource competency requirements commensurate with their job and grade.

Park superintendents and cultural resource professionals will ensure that research about and stewardship of cultural resources are carried out only after adequate planning and consultation with interested or affected stakeholders and other outside entities.

*(See Employee Training and Development Strategy [1995], Employee Training and Development Planning and Tracking Kit [1996])*

## **5.1 RESEARCH**

### **5.1.1 National Park Service Research**

The National Park Service will conduct an interdisciplinary program of research about the cultural resources of each park. The principal goals of such research will be to:

- Ensure a systematic, adequate and current information base representing the park's cultural resources and traditionally associated groups in support of planning, management, and operations;
- Ensure appropriate protection, preservation, treatment, and interpretation of cultural resources, employing the best current scholarship;
- Develop approaches for managing park cultural and natural resources that ensure consideration of views held by traditionally associated groups (for example, African-Americans, Hispanic-Americans, Acadians) and others, as appropriate;
- Collect data on traditional subsistence and other consumptive uses of park resources in order to reach informed decisions; and
- Develop appropriate technologies and methods for monitoring, protecting, preserving, and treating cultural resources.

Adequate research to support informed planning and legal compliance will precede any final decisions about the treatment of cultural resources or about park operations, development, and natural resource management activities that might affect cultural resources. Research will be periodically updated to reflect changing issues, sources, and methods. Research needs will be identified and justified in a park's approved resource management plan.

A written scope of work, research design, project agreement, proposal, or other description of work to be performed will be prepared and approved before any research is conducted. All archeological research, whether for inventory, data recovery or other purposes, must comply with the Archaeological Resources Protection Act of 1979 (ARPA), the Antiquities Act of 1906, and the Native American Graves Protection and Repatriation Act (NAGPRA), as applicable.

The National Park Service will not take or allow any action that reduces the research potential of cultural resources without an appropriate level of research, consultation, and documentation. Because research involving physical intervention into cultural resources or the removal of objects or specimens is a destructive process, entailing an irretrievable commitment of the resources, and often affecting traditional practices associated with the resources, research in parks will employ non-destructive methods to the maximum extent feasible.

Where practicable, the features of sites and structures will be left in place. Field data, objects, specimens, and features of sites and structures retrieved for preservation during cultural resource research and treatment projects, together with associated records and reports, will be managed within the park museum collection.

Research conducted by NPS personnel, contractors, and cooperative researchers will be subjected to peer review both inside and outside the Service to ensure that it meets professional standards, reflects current scholarship, and adheres to the principles of conduct for the appropriate discipline.

The data and knowledge acquired through research will be recorded on permanent and durable (long-lived) media and placed permanently in park museum and library collections and in park files. This information will be made widely available and incorporated, as appropriate, in park planning documents, exhibits, and interpretive programs. As appropriate, information will be shared with proper state and tribal historic preservation offices and certified local governments.

Certain research data may be withheld from public disclosure to protect sensitive or confidential information about archeological, historic, or ethnographic resources.

*(See Park Planning Processes 2.3, Studies and Collections 4.2, Confidentiality 5.2.3, Research 7.5.4, Native American Use 8.5; also see 36 CFR Part 800, 43 CFR Parts 3, 7, and 10, National Historic Preservation Act, Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720], Secretary of the Interior's Standards and Guidelines for Historical Documentation [48 FR 44728-730], Director's Order #28, NPS Cultural Resource Management Handbook)*

### **5.1.2 Independent Research**

The National Park Service will promote relationships with individuals and organizations qualified to perform research, and encourage them to direct their research toward park management objectives and the broader contexts within which park resources exist. The Park Service will encourage independent researchers to follow the Secretary of the Interior's Standards and Guidelines and those of the Park Service to the fullest extent possible, and will require that the wishes of traditionally associated groups be fully considered.

Permits that would allow cultural resources to be physically disturbed or allow objects or specimens to be collected will be issued only when there is compelling evidence that the proposed research is essential to significant research concerns and that the purpose of the research can be reasonably achieved only by using park resources. As appropriate, permits may require researchers to provide for the long-term preservation and management of any recovered objects and specimens and for their cataloging, together with any associated records, in the NPS museum cataloging system.

Independent researchers will be authorized to conduct archeological research on park lands only through the issuance of an ARPA or Antiquities Act permit by the appropriate regional director. This permitting authority cannot be further delegated. As appropriate, parks also will issue other necessary permits such as a special use permit. Archeological research conducted by independent researchers must comply with NAGPRA, as applicable.

NPS facilities, collections, and assistance will be made available to qualified scholars conducting NPS-authorized research as long as park operations are not substantially impeded or park resources damaged thereby, except as may be authorized.

*(See Independent Studies 4.2.3, Consultation 5.2.1, Natural and Cultural Studies, Research and Collection Activities 8.10; also see 43 CFR Parts 3, 7, and 10)*

### **5.1.3 Identification and Evaluation of Resources**

The National Park Service will conduct surveys to identify and evaluate the cultural resources of each park, assessing resources within their larger cultural, chronological, and geographic contexts. The resulting inventories will provide the substantive data required for nominating resources to the National Register of Historic Places; for general park planning and specific proposals for preserving, protecting, and treating cultural resources; for land acquisition, development, and maintenance activities; for interpretation, education, and natural and cultural resource management activities; and for compliance with legal requirements.

**5.1.3.1 Inventories:** The Park Service will maintain and expand the following inventories about cultural resources in units of the national park system, and will enter information into appropriate related databases until an integrated system is developed:

- Archeological Sites Inventory for historic and prehistoric archeological resources and its

Archeological Sites Management Information System (ASMIS) database;

- Cultural Landscapes Inventory of historic designed, historic vernacular, and ethnographic landscapes and historic sites and its Cultural Landscapes Automated Inventory Management System (CLAIMS) database;
- Ethnographic Resources Inventory (ERI) of places, including sites, structures, objects, landscapes, and natural resources with traditional cultural meaning and value to associated groups and other resource users;
- List of Classified Structures (LCS) encompassing historic and prehistoric structures; and
- National Catalog of Museum Objects, encompassing all cultural objects, archival and manuscript materials, and natural history specimens in NPS collections and its automated version, the Automated National Catalog System (ANCS+ or its successor).

*(See Park Planning Processes 2.3, Confidentiality 5.2.3; also see Secretary of the Interior's Standards and Guidelines for Identification [48 FR 44720-723], Director's Order #28, NPS Cultural Resource Management Handbook)*

**5.1.3.2 Evaluation and Categorization:** Cultural resources will be professionally evaluated and categorized to assist in management decisions about their treatment and use. Cultural resources will be evaluated for significance using National Register Criteria for Evaluation (36 CFR 60.4) and those meeting the criteria will be nominated for listing. Museum collections are inappropriate for listing and will not be evaluated using these criteria. Some collections in their original structures can be included as contributing elements to a listed structure. As appropriate, cultural resources will be categorized using other management categories established by the National Park Service and listed in the NPS cultural resource management handbook.

Cultural resource professionals will evaluate cultural resources in consultation with the appropriate state and tribal historic preservation officers. Ethnographically meaningful cultural and natural resources, including traditional cultural properties, will be identified and evaluated in consultation with, as appropriate, American Indians, Alaskan natives, native peoples of the Caribbean, native Hawaiians and other Pacific Islanders (for convenience, henceforth referred to as "Native Americans"), and other groups with traditional associations to park resources. Some ethnographically meaningful resources do not meet National Register Criteria for Evaluation but will be inventoried in consultation with traditionally associated groups and considered in management decisions about treatment and use.

*(See Secretary of the Interior's Standards and Guidelines for Evaluation [48 FR 44723-726])*

**5.1.3.2.1 National Register Nomination.** Park resources that appear to meet the criteria for the National Register of Historic Places will be nominated, either individually, as components of historic districts, or within multiple property nominations, for listing by the Keeper of the National Register. National historic sites, national historical parks, and other parks significant primarily for their cultural

resources are entered automatically in the National Register upon establishment. However, nomination forms will be prepared and submitted to document the qualifying and contributing features of such parks and other National Register-eligible resources within them.

*(See 36 CFR Parts 60 and 63, Secretary of the Interior's Standards and Guidelines for Registration [48 FR 44726-728], National Register Bulletins 16A and 16B [Guidelines for Completing National Register of Historic Places Forms])*

**5.1.3.2.2 National Historic Landmark Designation.** National historic landmark designation is appropriate for resources whose national historical significance has not already been recognized by Congress or the President in creating units of the national park system. Park resources eligible for the National Register that appear to possess national significance may warrant landmark designation if they are unrelated to the primary purposes or themes of their parks (i.e., they lie within predominantly natural or recreational parks or within cultural parks focusing on other themes). Cultural parks may warrant landmark designation as parts of larger areas encompassing resources associated with their primary themes. Modified National Register forms will be prepared and submitted to nominate such resources for landmark designation by the Secretary of the Interior.

*(See 36 CFR Part 65)*

**5.1.3.2.3 World Heritage List Designation.** Park cultural properties believed to possess outstanding universal value to humankind may qualify for World Heritage List designation. Proposals for US nomination of such resources will be prepared and submitted to document the case for this designation by the United Nations Educational, Scientific and Cultural Organization.

*(See World Heritage Sites 4.3.6; also see 36 CFR Part 6)*

## **5.2 PLANNING**

General management planning will include goals and strategies for research on, consultation about, and stewardship of cultural resources, and for research on and consultation with traditionally associated and other groups. Planning for park operations, development, and natural resource management activities will integrate relevant concerns and program needs for identifying, evaluating, monitoring, protecting, preserving, and treating cultural resources.

Planning will provide for informed decision-making about cultural resources. It must therefore be based upon an understanding of what a park's cultural resources are, and why those resources are significant. This necessarily entails baseline data on the nature and types of cultural resources, and their distribution, condition, significance, and local, regional, and national contexts. The cultural resource evaluation process will include consultation with cultural resource specialists and scholars possessing relevant expertise, traditionally associated groups, and other stakeholders. Current scholarship and needs for research are considered in this process, as is the park's legislative history.

Planning decisions will follow analyses of how proposals might affect the values that make resources

significant, and the consideration of alternatives that might avoid or mitigate potential adverse effects. Planning will always seek to avoid harm to cultural resources and consider the values of traditionally associated groups. To ensure that approaches and alternatives for resource preservation have been identified and considered, planning processes that could affect cultural resources must include cultural resource specialists, traditionally associated groups, and other stakeholders, with appropriate notification about opportunities to become involved.

Superintendents will ensure full consideration of the park's cultural resources and their values in all proposals for operations, development, and natural resource programs, including management of wilderness areas. Superintendents will ensure that proposed undertakings that may adversely affect national historic sites, national battlefields, and other predominantly cultural units of the national park system established in recognition of their national historical significance will receive the same level of review and consideration by the Advisory Council on Historic Preservation and the Secretary of the Interior that the Advisory Council's regulations require for undertakings that may adversely affect national historic landmarks (36 CFR 800.10).

Each park will prepare and periodically update cultural resource components of the park's resource management plan, which will define and program activities needed to identify, evaluate, monitor, protect, preserve, treat, and provide for public understanding and enjoyment of those resources.

*(See Implementation Planning 2.3.3; also see Government Performance and Results Act [31 USC 1115-1116], National Environmental Policy Act, National Historic Preservation Act, Executive Order 13007, Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs Pursuant to the National Historic Preservation Act [63 FR 20496-508], Secretary of the Interior's Standards and Guidelines for Preservation Planning [48 FR 44716-720, Secretary of the Interior's Standards for the Treatment of Historic Properties])*

### **5.2.1 Consultation**

Each park will consult with outside parties having an interest in the park's cultural resources or proposed NPS actions, and provide them with opportunities to learn about and comment on those resources and planned actions. Parties to be consulted will include appropriate state and tribal historic preservation officers; the Advisory Council on Historic Preservation; other interested federal agencies; tribal, state, and local governments; park-associated groups; present-day park neighbors; and interest groups.

Consultations will take place as soon as practical, in an appropriate forum that ensures, to the maximum extent possible, communication and identification of mutually acceptable alternatives. The Park Service will establish and maintain continuing relationships with outside parties to facilitate future collaboration, formal consultations, and the ongoing informal exchange of views and information on cultural resource matters.

Consistent with the Federal Advisory Committee Act (FACA), NPS staff will meet with individuals and groups to exchange views and information and to solicit individual advice on proposed NPS actions. Public participation may be sought without invoking FACA when it involves:

- Meetings with individuals for the purpose of obtaining advice or recommendations;
- Meetings with groups of individuals for the purpose of obtaining advice from individuals and not for the purpose of obtaining consensus advice or recommendations from the groups; and
- Public meetings open to all interested parties for the purpose of exchanging views and information.

The Service will consult with federally-recognized American Indian tribes on a government-to-government basis by notifying appropriate tribal authorities (e.g., tribal historic preservation officers) of proposed actions when first conceived, and subsequently consulting their appointed representatives whenever proposed actions may affect tribal interests, practices, and traditional resources (e.g., places of religious or subsistence value). In particular, traditionally associated Native American and other groups will be consulted about:

- Proposed research on, and stewardship of, cultural and natural resources with ethnographic meaning for the groups;
- Development of park planning and interpretive documents that may affect resources traditionally associated with the groups;
- Proposed research that entails collaborative study of the groups;
- Identification, treatment, use, and determination of affiliation of objects subject to NAGPRA;
- Repatriation of Native American objects or human remains based on requests by affiliated groups in accordance with NAGPRA;
- Planned excavations and proposed responses to inadvertent discoveries of cultural resources that may be culturally affiliated with the groups;
- Other proposed NPS actions that may affect the treatment, use of, and access to cultural and natural resources with known or potential cultural meaning for the groups; and
- Designation of National Register, National Historic Landmark, and World Heritage sites.

*(See Archaeological Resources Protection Act, National Environmental Policy Act, National Historic Preservation Act [16 USC 470ff], 36 CFR Part 800, 40 CFR Parts 1500-1508, 41 CFR Part 101, 43 CFR Parts 7 and 10, Executive Memorandum on Government-to-Government Relations with Native American Tribal Governments, Executive Order 13007, Executive Order 13084, 512 Department of the Interior Manual [DM] 2)*

### **5.2.2 Agreements**

The National Park Service will establish mutually beneficial agreements with interested groups to facilitate



collaborative research, consultation, park planning, and cooperative management approaches with respect to park cultural resources and culturally important natural resources. Agreements will provide ways of avoiding and resolving disagreements and disputes.

Where authorized by law, regulation or treaty, agreements will provide for appropriate access to and the sustainable use of cultural resources and culturally important natural resources for ceremonial, religious or subsistence purposes by traditionally associated groups, including monitoring of the effects of use on the condition of the resources and the effects of Park Service actions on the continuity of the groups' related cultural practices.

Whenever parks have cultural resources that are owned or managed by others, agreements will clarify how the resources are to be managed.

Pursuant to 16 USC 1g, the NPS may enter into cooperative agreements with state, local, and tribal governments, other public entities, educational institutions, and private non-profit organizations.

*(See Park Structures Owned or Managed by Others 5.3.5.4.8, Submerged Cultural Resources 5.3.5.1.6, Native American Use 8.5, Consumptive Uses 8.9; also see Alaska National Interest Lands Conservation Act, Executive Order 13007, Director's Order #20: Agreements)*

### **5.2.3 Confidentiality**

Sensitive or confidential information may be acquired during the conduct of research, planning, consultation, and stewardship activities. Under certain circumstances, and to the extent permitted by law, information about the specific location, character, nature, ownership, or acquisition of cultural resources on park lands will be withheld from public disclosure. When a question arises about withholding information, where disclosure could result in a significant invasion of privacy or a risk of harm to a cultural resource, the Park Service will consult the provisions of ARPA (16 USC 470hh), the National Parks Omnibus Management Act of 1998 (16 USC 5937), and NHPA (16 USC 470w-3).

Under some conditions, the Park Service may be required by law to disclose confidential information acquired during consultations, public meetings, and other research, planning, and stewardship activities or in association with the acquisition of resources. Before such activities occur, NPS staff and authorized researchers will inform affected parties that the information they provide will become part of the public record and cannot be guaranteed absolute confidentiality.

Opportunities to speak off the record will be given to individuals, whose comments will not be recorded or documented in any form. In such instances, individuals will be informed that when such information is incorporated into Park Service decision-making, it becomes part of the public record and cannot be guaranteed confidentiality. Opportunities to speak anonymously on the record also will be given to individuals so the information they provide can be used in the decision-making process without revealing their identity.

It is the policy of the National Park Service to accept donations of museum collections unconditionally for unrestricted use. If the NPS makes exceptions to this policy by offering conditions of confidentiality, then the Park Service must inform donors in advance that, in certain circumstances, the Freedom of Information Act (FOIA) may require that such information be released.

However, to the extent permitted by law, the Service will withhold from public disclosure the identities of individuals who wish to remain anonymous and who are protected from release by exemption under FOIA.

The Park Service will document its decisions to disseminate or withhold sensitive or confidential information from public disclosure.

*(Also see 43 CFR Part 2, 43 CFR 7.18, Privacy Act)*

## **5.3 STEWARDSHIP**

### **5.3.1 Protection and Preservation of Cultural Resources**

The National Park Service will employ the most effective concepts, techniques, and equipment to protect cultural resources against theft, fire, vandalism, overuse, deterioration, environmental impacts, and other threats, without compromising the integrity of the resources.

**5.3.1.1 Emergency Management:** Measures to protect or rescue cultural resources in the event of an emergency, disaster, or fire will be developed as part of a park's emergency operations plan and fire management planning process. Designated personnel will be trained to respond to all emergencies involving cultural resources in a manner that maximizes visitor and employee safety and the protection of resources and property.

*(See Emergency Preparedness and Emergency Operations 8.2.5.2; also see 36 CFR Part 78)*

**5.3.1.2 Fire Detection, Suppression, and Post-fire Rehabilitation and Protection:** Prudent actions will be taken to prevent or minimize harm to cultural resources from wildland, prescribed, and structural fires, as well as by fire-suppression and post-fire rehabilitation and protection activities.

In the preservation of historic structures, every attempt will be made to comply with national building and fire codes. When these cannot be met without significantly impairing a structure's integrity and character, the management and use of the structure will be modified to minimize potential hazards, rather than modifying the structure itself.

Subject to the previous paragraph, when warranted by human safety issues or the significance of a historic structure or museum collection in any structure, adequate fire detection, warning, and suppression systems will be installed. Designated fire-fighting personnel will be advised of any peculiarities or dangers inherent in a structure and any priorities for protecting or rescuing objects.

Designated fire-fighting personnel will be advised of the locations and characteristics of cultural resources threatened by fire and any priorities for protecting the resources during prescribed fire, fire suppression, and post-fire burn-area emergency rehabilitation activities. At parks with cultural resources, designated fire-fighting personnel will receive training in cultural resource management; and designated cultural resource management specialists will receive training in fire prevention and suppression and, when appropriate, will be authorized with red-cards to fight fires.

Smoking will not be permitted in spaces housing museum collections, or in historic structures (except those used as residences where smoking is permitted by the park superintendent).

*(See Fire Management 4.5, Fire Management 6.3.9, Structural Fire Protection and Suppression 9.1.8; also see Director's Orders ##18: Wildland Fire Management and 58: Structural Fires)*

**5.3.1.3 Compensation for Injuries to Cultural Resources:** In accordance with the National Park System Resources Protection Act, the National Park Service will take all necessary and appropriate steps to recover costs and damages from any person who destroys, causes the loss of, or injures cultural resources in parks. When such incidents occur, the Service will seek to:

- Prevent or minimize the destruction, loss of, or injury to the cultural resource, or abate or minimize the imminent risk of such destruction, loss, or injury;
- Assess and monitor damage to the cultural resource;
- Recover any and all costs associated with restoration or replacement of the injured cultural resource, or with acquisition of an equivalent resource;
- Recover the value of any significant loss of use of the cultural resource pending its restoration or replacement or the acquisition of an equivalent, or the value of the cultural resource in the event it cannot be restored or replaced; and
- Recover any and all costs incurred in responding to, assessing, and/or monitoring damage to the cultural resource.

*(See Compensation for Damages 4.1.6)*

**5.3.1.4 Environmental Monitoring and Control:** When necessary to preserve a historic structure or a museum collection, appropriate measures will be taken to control relative humidity, temperature, light, and air quality. When museum collections are housed in a historic structure, the needs of both the collection and the structure will be identified and evaluated, weighing relative rarity and significance, before environmental control measures are introduced. The environmental conditions of all areas housing museum collections will be regularly monitored, according to a schedule specific to each condition, to determine whether appropriate levels of relative humidity, temperature, and light are being maintained.

*(See Air Quality 4.7.1)*

**5.3.1.5 Pest Management:** The Park Service will follow the integrated pest management approach in addressing pest problems (including invasive vegetation) related to cultural resources. Pest occurrences will be dealt with on a case-by-case basis. Available pest management methods, as described in Director's Order #77-7, will be reviewed to determine the most effective and lowest risk management strategy.

*(See Pest Management 4.4.11)*

**5.3.1.6 Carrying Capacity:** Park superintendents will set, enforce, and monitor carrying capacities to limit public visitation to or use of cultural resources that would be subject to adverse effects from unrestricted levels of visitation or use. This will include reviewing the park's purpose, analyzing existing visitor use of and related impacts to the park's cultural resources and traditional resource users, prescribing indicators and specific standards for acceptable and sustainable visitor use, and identifying ways to address and monitor unacceptable impacts resulting from overuse. Studies to gather basic data and make recommendations on setting, enforcing, and monitoring carrying capacities for cultural resources will be conducted in collaboration with cultural resource specialists of the appropriate disciplines.

*(See Carrying Capacity 8.2.1)*

### **5.3.2 Physical Access for Persons with Disabilities**

The National Park Service will provide persons with disabilities the highest feasible level of physical access to historic properties, consistent with the preservation of each property's significant historical features. Access modifications for persons with disabilities will be designed and installed in a manner that least affects those features of a property that contribute to its significance. Some impairment of some features may be accepted in providing access once a review of options for the highest level of access has been conducted. However, if it is determined that modification of particular features would adversely effect a property's integrity and character in terms of the Advisory Council's regulations at 36 CFR 800.9, such modifications will not be made. To the extent possible, modifications for access will benefit the greatest number of visitors, staff, and the public, and be integrated with, or in proximity to, the primary path of travel for entrances and from parking areas. In situations where access modifications cannot be made, alternative methods of achieving program access will be adopted.

*(See Access to Interpretive and Educational Opportunities 7.5.1, Accessibility for Persons with Disabilities 8.2.4, Accessibility for Persons with Disabilities 9.1.2, Accessibility of Commercial Services 10.2.6.2)*

### **5.3.3 Historic Property Leases and Cooperative Agreements**

The National Park Service may lease or permit the use of a historic property through a cooperative agreement if such lease or cooperative agreement will ensure the property's preservation. Proposed uses must not unduly limit public appreciation of the property, interfere with visitor use and enjoyment of the park, or preclude use of the property for park administration, employee residences, or other management

purposes judged more appropriate or cost-effective.

Each lease will be competitively offered. The government will receive at least fair market rental value adjusted for investments required of the lessee. The term of the lease will be the shortest time needed for the proposed use, taking into account required lessee investments, common practice for the type of lease, possible future alternatives for the property, and other relevant factors. No lease will exceed 50 years. As authorized by the National Parks Omnibus Management Act, a lessee may use a property to provide a commercial service if the service will be patronized by park visitors only to a minor extent.

Cooperative agreements can be entered into with state, local, and tribal governments, other public entities, educational institutions, and private non-profit organizations to maintain, repair, rehabilitate, restore, or build upon a historic property.

If a lease or cooperative agreement requires or allows the lessee or cooperator to maintain, repair, rehabilitate, restore, or build upon the property, it will require the work be done in accordance with applicable Secretary of the Interior's Standards and Guidelines and other NPS policies, guidelines, and standards.

*(See Historic Properties 10.2.2.3; also see National Historic Preservation Act [16 USC 470h-3], National Park System General Authorities Act [16 USC 1a-2(k)], 16 USC 460l-22(a), and Omnibus Budget Appropriations Act of 1997 [16 USC 1g]; 36 CFR Part 18)*

#### **5.3.4 Stewardship of Human Remains and Burials**

Marked and unmarked prehistoric and historic burial areas and graves will be identified, evaluated, and protected. Every effort will be made to avoid impacting burial areas and graves when planning park development and managing park operations. Such burial areas and graves will not knowingly be disturbed or archeologically investigated unless threatened with destruction.

The Service will consult with American Indian tribes, other Native American groups, and other individuals and groups linked by demonstrable ties of kinship or culture to potentially identifiable human remains when such remains may be disturbed or are inadvertently encountered on park lands. Re-interment at the same park may be permitted, and may include remains that may have been removed from lands now within the park.

Native American human remains and photographs of such remains will not be exhibited. Drawings, renderings, or casts of such remains may be exhibited with the consent of culturally affiliated Indian tribes and Native Hawaiian organizations. The exhibit of non-Native-American human remains, or photographs, drawings, renderings, or casts of such remains, is allowed in consultation with traditionally associated groups. The Service may allow access to, and study, publication, and destructive analysis of human remains, but must consult with traditionally associated groups and consider their opinions and concerns before making decisions on appropriate actions. In addition, such use of human remains will occur only with an approved research proposal that describes why the information cannot be obtained through other

sources or analyses, and why the research is important to the field of study and the general public.

For a discussion of national cemeteries, see *Cemeteries and Burials* at 8.6.10.

*(See Cultural Resources 6.3.8, Consultation 7.5.5; also see Native American Graves Protection and Repatriation Act, 43 CFR Part 10)*

### **5.3.5 Treatment of Cultural Resources**

The Park Service will provide for long-term preservation and public access to and appreciation of the features, materials, and qualities contributing to the significance of cultural resources. With some differences by type, cultural resources are subject to several basic treatments including preservation in their existing states; rehabilitation to serve contemporary uses, consistent with their integrity and character; and restoration to earlier appearances by the removal of later additions and replacement of missing elements. Decisions regarding which treatments will best ensure the preservation and public enjoyment of particular cultural resources will be reached through the planning and compliance process, taking into account:

- The nature and significance of a resource, and its condition and interpretive value;
- The research potential of the resource;
- The level of intervention required by treatment alternatives;
- The availability of data, and the terms of any binding restrictions; and
- The concerns of traditionally associated groups and other stakeholders.

Except for emergencies that threaten irreparable loss without immediate action, no treatment project will be undertaken unless supported by an approved planning document appropriate to the proposed action.

The preservation of cultural resources in their existing states will always receive first consideration. Treatments entailing greater intervention will not proceed without consideration of interpretive alternatives.

The appearance and condition of resources before treatment and changes made during treatment will be documented, and the documentation will be shared with the applicable state or tribal historic preservation office or certified local government and added to the park museum cataloging system. Pending treatment decisions reached through the planning process, all resources will be protected and preserved in their existing states.

As a basic principle, anything of historical appearance that the National Park Service presents to the public in a park will be either an authentic survival from the past or an accurate representation of that which once existed there. Reconstructions and reproductions will be clearly identified as such.

The Service will holistically approach the treatment of related cultural resources in a park. All cultural resource and natural resource values will be considered in defining specific treatment and management goals. Research will be coordinated and sequenced so that decisions are not made in isolation. Each proposed action will be evaluated to ensure consistency or compatibility in the overall treatment of park resources. The relative importance and relationship of all values will be weighed to identify potential conflicts between and among resource preservation goals, park management and operation goals, and park user goals. Conflicts will be considered and resolved through the planning process.

Although each resource type is most closely associated with a particular discipline, an interdisciplinary approach is commonly needed to properly define specific treatment and management goals for cultural resources. Policies applicable to the various resource types follow.

*(See Park Planning Processes 2.3, Planning 5.2, Cultural Resources 6.3.8; also see National Historic Preservation Act [16 USC 470f], National Environmental Policy Act, Secretary of the Interior's Standards for the Treatment of Historic Properties)*

**5.3.5.1 Archeological Resources:** Archeological resources will be managed in situ, unless the removal of artifacts or physical disturbance is justified by research, consultation, preservation, protection, or interpretive requirements. Preservation treatments will include proactive measures that protect resources from vandalism and looting, and maintain or improve their condition by limiting damage due to natural and human agents. Data recovery actions will be taken only in the context of planning, consultation, and appropriate decision-making. Preservation treatments and data recovery activities will be conducted within the scope of an approved research design. Archeological research will use non-destructive methods of testing and analysis wherever possible. The Park Service will incorporate information about archeological resources into interpretive and educational programs. Artifacts and specimens recovered from archeological resources, along with associated records and reports, will be maintained together in the park museum collection.

*(See 36 CFR Part 79, Secretary of the Interior's Standards and Guidelines for Archeological Documentation [48 FR 44734-737], NPS Museum Handbook)*

**5.3.5.1.1 Preservation.** Archeological resources will be maintained and preserved in a stable condition to prevent degradation and loss. The condition of archeological resources will be documented, regularly monitored, and evaluated against initial baseline data. Parks are encouraged to enlist concerned local citizens in site stewardship programs to patrol and monitor the condition of archeological resources. Archeological resources subject to erosion, slumping, subsidence, or other natural deterioration will be stabilized using the least intrusive and destructive methods, but only after sufficient research demonstrates the likely success of the proposed stabilizing action, and after existing conditions are documented. The preservation of archeological components of cultural landscapes, structures, and ruins are also subject to the treatment policies for cultural landscapes, historic and prehistoric structures, and historic and prehistoric ruins.

**5.3.5.1.2 Rehabilitation, Restoration, and Reconstruction.** These terms are normally related to the treatment of historic structures and cultural landscapes. The Park Service will not normally

undertake the rehabilitation, restoration, or reconstruction of archeological resources or features. Archeological studies undertaken in conjunction with the rehabilitation or restoration of cultural landscapes, structures, or ruins, or with the reconstruction of obliterated cultural landscapes or missing structures, will be guided by the treatment policies for archeological resources, as well as those for the other associated resource types.

**5.3.5.1.3 Protection.** Archeological resources will be protected against human agents of destruction and deterioration whenever practicable. Archeological resources subject to vandalism and looting will be monitored periodically, and, if appropriate, fencing, warning signs, remote-sensing alarms, and other protective measures will be installed. Training and public education programs will be developed to make park staff and the public aware of the value of the park's archeological resources, and the penalties for destroying them. For public safety reasons, local citizens who are monitoring resources under site stewardship programs will be instructed to report incidents of vandalism and looting to law enforcement personnel for response.

*(See Volunteers in Parks 7.6.1)*

**5.3.5.1.4 Archeological Data Recovery.** Archeological data recovery is permitted if justified by research or interpretation needs. Significant archeological data that otherwise would be lost as a result of resource treatment projects or uncontrollable degradation or destruction will be recovered in accordance with appropriate research proposals and preserved in park museum collections. Data will be recovered to mitigate the loss of significant archeological data due to park development, but only after:

- The redesign, relocation, and cancellation of the proposed development have all been considered and ruled out as infeasible through the planning process;
- The park development has been approved; and
- The project has provided for data recovery, cataloging, and initial preservation of recovered collections.

*(See Planning 5.2)*

**5.3.5.1.5 Earthworks.** Appropriate and, when feasible, native vegetation will be maintained when necessary to prevent erosion of prehistoric and historic earthworks, even when the historic condition might have been bare earth. Because earthwork restorations and reconstructions can obliterate surviving remains and are often difficult to maintain, other means of representing and interpreting the original earthworks will receive first consideration.

*(See Native Plant Life 4.4.6, Exotic Species 4.4.10)*

**5.3.5.1.6 Submerged Cultural Resources.** Historic shipwrecks and other submerged cultural resources will be protected, to the extent permitted by law, in the same manner as terrestrial archeological



resources. Protection activities involve inventory, evaluation, monitoring, interpretation, and establishing partnerships to provide for the management of historic shipwrecks and other submerged cultural resources in units of the national park system. The Service will not allow treasure hunting or commercial salvage activities at or around historic shipwrecks or other submerged cultural resources located within park boundaries unless legally obligated to do so. Parks may provide recreational diving access to submerged cultural resources not susceptible to damage or the removal of artifacts. The Service will ensure that the activities of others in park waters do not adversely affect submerged cultural resources or the surrounding natural environment. The Service will consult with the owners of non-abandoned historic shipwrecks, and enter into written agreements with them to clarify how the shipwrecks will be managed by the NPS. Shipwrecks owned by a state government pursuant to the Abandoned Shipwreck Act will be managed in accordance with the Abandoned Shipwreck Act Guidelines.

*(See Recreational Activities 8.2.2; also see Abandoned Shipwreck Act Guidelines [55 FR 50116-145, 55 FR 51528, 56 FR 7875], 36 CFR Part 2, 485 DM 27, Director's Order #4: Diving Management)*

**5.3.5.2 Cultural Landscapes:** The treatment of a cultural landscape will preserve significant physical attributes, biotic systems, and uses when those uses contribute to historical significance. Treatment decisions will be based on a cultural landscape's historical significance over time, existing conditions, and use. Treatment decisions will consider both the natural and built characteristics and features of a landscape, the dynamics inherent in natural processes and continued use, and the concerns of traditionally associated groups.

The treatment conducted is based on sound preservation practice to enable long-term preservation of a resource's historic features, qualities, and materials. There are three types of treatment for extant cultural landscapes: preservation, rehabilitation, and restoration.

*(See also Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)*

**5.3.5.2.1 Preservation.** A cultural landscape will be preserved in its present condition if:

- That condition allows for satisfactory protection, maintenance, use, and interpretation; or
- Another treatment is warranted but cannot be accomplished until some future time.

**5.3.5.2.2 Rehabilitation.** A cultural landscape may be rehabilitated for contemporary use if:

- It cannot adequately serve an appropriate use in its present condition; and
- Rehabilitation will retain its essential features, and will not alter its integrity and character or conflict with approved park management objectives.

**5.3.5.2.3 Restoration.** A cultural landscape may be restored to an earlier appearance if:

- All changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;
- Restoration is essential to public understanding of the park's cultural associations;
- Sufficient data about that landscape's earlier appearance exist to enable its accurate restoration; and
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

**5.3.5.2.4 Reconstruction of Obliterated Landscapes.** No matter how well conceived or executed, reconstructions are contemporary interpretations of the past rather than authentic survivals from it. The National Park Service will not reconstruct an obliterated cultural landscape unless:

- There is no alternative that would accomplish the park's interpretive mission;
- Sufficient data exist to enable its accurate reconstruction, based on the duplication of historic features substantiated by documentary or physical evidence rather than on conjectural designs or features from other landscapes;
- Reconstruction will occur in the original location;
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- Reconstruction is approved by the Director.

A landscape will not be reconstructed to appear damaged or ruined. General representations of typical landscapes will not be attempted.

**5.3.5.2.5 Biotic Cultural Resources.** Biotic cultural resources, which include plant and animal communities associated with the significance of a cultural landscape, will be duly considered in treatment and management. The cultural resource and natural resource components of the park's resource management plan will jointly identify acceptable plans for the management and treatment of biotic cultural resources. The treatment and management of biotic cultural resources will anticipate and plan for the natural and human-induced processes of change. The degree to which change contributes to or compromises the historic character of a cultural landscape and the way in which natural cycles influence the ecological processes within a landscape will both be understood before any major treatment is undertaken. Treatment and management of a cultural landscape will establish acceptable parameters for change, and manage the biotic resources within those parameters.

**5.3.5.2.6 Land Use and Ethnographic Value.** Many cultural landscapes are significant because of their historic land use and practices. When land use is a primary reason for the significance of a landscape, the objective of treatment will be to balance perpetuation of use with retention of the tangible evidence that represents its history. The variety and arrangement of cultural and natural features in a landscape often have sacred or other continuing importance in the ethnic histories and cultural vigor of associated groups. These features and their past and present-day uses will be identified, and the beliefs, attitudes, practices, traditions, and values of traditionally associated groups will be considered in any treatment decisions.

Contemporary use of a cultural landscape is appropriate if it:

- Does not adversely affect significant landscape characteristics and features; and
- Either follows the historic use or does not impede public appreciation of it.

All uses of cultural landscapes are subject to legal requirements, policy, guidelines, and standards for natural and cultural resource preservation, public safety, and special uses.

**5.3.5.2.7 New Construction.** Contemporary alterations and additions to a cultural landscape will not radically change, obscure, or destroy its significant spatial organization, materials, and features. New buildings, structures, landscape features, and utilities will be constructed in a cultural landscape if:

- Existing structures and improvements do not meet essential management needs;
- New construction is designed and sited to preserve the landscape's integrity and historic character; and
- Unless associated with an approved restoration or reconstruction, the alterations, additions, or related new construction is differentiated from, yet compatible with, the landscape's historic character.

New additions will meet the Secretary of the Interior Standards for Rehabilitation.

**5.3.5.3 Ethnographic Resources:** The National Park Service will adopt a holistic approach to people and resources that considers parks in rural and urban areas and traditionally associated and other groups as interrelated members of an ecosystem. To appreciate the diverse heritages and resources characterizing the system, the Service will identify the present-day people whose cultural practices and identities were, and often still are, closely associated with each park's cultural and natural resources. In the context of collaborative research, cultural anthropologists/ethnographers will document the meanings that groups assign to traditional natural and cultural resources and the landscapes they form. The park's ethnography file will include this information, as well as data on the traditional management and

knowledge systems that affect resource uses, and the short- and long-term effects of use on the resources.

**5.3.5.3.1 Resource Access and Use.** Certain contemporary Native American and other traditionally associated groups are permitted by law, Executive order, treaty, regulation, or policy to pursue the customary religious, subsistence, and other cultural uses of park resources with which they are associated. Such continuing access to and use of traditional resources is often essential to the survival of family, community, or regional cultural systems, including patterns of belief and economic and religious life. Recognizing that the NPS resource protection mandate affects this use and the cultural context of park resources, the Service will plan and execute programs in ways that safeguard cultural and natural resources, while reflecting informed concern for associated peoples and reasonable negotiated accommodations to their resource needs.

Park Service decisions about consumptive uses of natural resources for traditional purposes will reflect consultation with the user groups and current scholarship on the resource management systems of associated groups and the sustainability of the resources.

*(See Native American Use 8.5; also see Alaska National Interest Lands Conservation Act, American Indian Religious Freedom Act, National Environmental Policy Act, Executive Order 13007, park-specific enabling legislation, park-specific 36 CFR regulations)*

**5.3.5.3.2 Sacred Sites.** The National Park Service acknowledges that American Indian tribes and Alaska natives treat certain natural and cultural resources as sacred places having established religious meaning, and as locales of private ceremonial activities. To the extent feasible and not in conflict with other policies, the Service will ensure access to these places for the affected groups, and avoid adversely affecting their physical integrity.

In consultation with the appropriate groups, the Service will develop a confidential record about such places and identify any treatments preferred by the groups. This information will alert superintendents and planners to the potential presence of sensitive areas. The Service will collaborate with affected groups to prepare mutually agreeable strategies for providing access to ordinarily gated or otherwise inaccessible locales, and for enhancing the likelihood of privacy during religious ceremonies. To the extent feasible, accommodations will also be made for access to, and the use of, sacred places when interest is expressed by native Hawaiians and other Pacific Islanders, and by American Indian peoples who are traditionally associated with the resources, but are not federally recognized as tribes.

Various ethnic groups with traditional associations to parks, local groups with recently developed ties to resources in neighboring parks, and visitors to family and national cemeteries and national memorials also might use park resources for traditional or individual religious ceremonies. Mutually acceptable agreements may be negotiated with known groups to provide access to, and use of, such sacred places.

*(See Confidentiality 5.2.3, Native American Use 8.5, First Amendment Activities 8.6.3; also see National Historic Preservation Act [16 USC 470w-3], Executive Order 13007, 512 DM 3)*

**5.3.5.3.3 Research.** The Park Service will maintain a program of professional cultural anthropological/ethnographic research, designed to provide management with information about relationships between park resources and associated groups. Research will be undertaken in cooperation with associated groups in an interdisciplinary manner whenever reasonable, especially in studies of natural resource use and ethnographic landscapes. Research findings will be used to inform planning, cultural and natural resource management decision-making, and interpretation, as well as to help management meet responsibilities to associated groups and other stakeholders in the outcomes of NPS decisions. Information required for an ethnographic resource inventory will be drawn from ethnographic research reports to the fullest extent possible.

Collaborative research dealing with recent or contemporary cultural systems and the resources of park-associated groups will involve the groups in the design and implementation of the research and the review of research findings to the fullest possible extent. The Service will provide individuals or groups involved with, or directly affected by, the research with copies or summaries of the reports, as appropriate.

*(See Park Planning Processes 2.3, Consultation 7.5.5, Native American Use 8.5; also see Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for the Treatment of Cultural Landscapes)*

**5.3.5.4 Historic and Prehistoric Structures:** The treatment of historic and prehistoric structures is based on sound preservation practice to enable long-term preservation of a structure's historic features, materials, and qualities. There are three types of treatment for extant structures: preservation, rehabilitation, and restoration.

*(See also Secretary of the Interior's Standards for the Treatment of Historic Properties)*

**5.3.5.4.1 Preservation.** A structure will be preserved in its present condition if:

- That condition allows for satisfactory protection, maintenance, use, and interpretation; or
- Another treatment is warranted but cannot be accomplished until some future time.

**5.3.5.4.2 Rehabilitation.** A structure may be rehabilitated for contemporary use if:

- It cannot adequately serve an appropriate use in its present condition; and
- Rehabilitation will retain its essential features and will not alter its integrity and character or conflict with approved park management objectives. Rehabilitation does not apply to prehistoric structures.

**5.3.5.4.3 Restoration.** A structure may be restored to an earlier appearance if:

- All changes after the proposed restoration period have been professionally evaluated, and the significance of those changes has been fully considered;

- Restoration is essential to public understanding of the park's cultural associations;
- Sufficient data about that structure's earlier appearance exist to enable its accurate restoration; and
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery.

**5.3.5.4.4 Reconstruction of Missing Structures.** No matter how well conceived or executed, reconstructions are contemporary interpretations of the past rather than authentic survivals from it. The National Park Service will not reconstruct a missing structure unless:

- There is no alternative that would accomplish the park's interpretive mission;
- Sufficient data exist to enable its accurate reconstruction based on the duplication of historic features substantiated by documentary or physical evidence, rather than on conjectural designs or features from other structures;
- Reconstruction will occur in the original location;
- The disturbance or loss of significant archeological resources is minimized and mitigated by data recovery; and
- Reconstruction is approved by the Director.

A structure will not be reconstructed to appear damaged or ruined. Generalized representations of typical structures will not be attempted.

*(See Environmental Monitoring and Control 5.3.1.4, Physical Access for Persons with Disabilities 5.3.2, Historic and Prehistoric Ruins 5.3.5.4.10)*

**5.3.5.4.5 Movement of Historic Structures.** Proposals for moving historic structures will consider the effects of movement on the structures, their present environments, their proposed environments, and the archeological research value of the structures and their sites. No historic structure will be moved if its preservation would be adversely affected, or until the appropriate recovery of significant archeological data has occurred. Prehistoric structures will not be moved.

A nationally significant historic structure may be moved only if:

- It cannot practically be preserved on its present site; or
- The move constitutes a return to a previous historic location, and the previous move and

present location are not important to the structure's significance.

A historic structure of less-than-national significance may be moved if:

- It cannot practically be preserved on its present site; or
- Its present location is not important to its significance, and its relocation is essential to public understanding of the park's cultural associations.

In moving a historic structure, every effort will be made to reestablish its historic orientation, immediate setting, and general relationship to its environment.

As a rule, the Park Service will not acquire historic structures for relocation to parks. Exceptions to this policy will require approval by the Director.

**5.3.5.4.6 New Construction.** In preference to new construction, every reasonable consideration will be given to using historic structures for park purposes compatible with their preservation and public appreciation. Additions may be made to historic structures when essential to their continued use and when new construction will not destroy historic materials, features and spatial relationships that characterize the structure. Structural additions will harmonize in size, scale, proportion, and materials with, but be readily distinguishable from, the older work, and will not intrude upon the historic scene. New additions will meet the Secretary of the Interior's Standards for Rehabilitation.

In those areas of parks managed for the preservation, protection, and interpretation of cultural resources and their settings, new structures, landscape features, and utilities will be constructed only if:

- Existing structures and improvements do not meet essential park management needs; and
- New construction is designed and sited to preserve the integrity and character of the area.

Unless associated with an approved restoration or reconstruction, all alterations, additions, or related new construction will be differentiated from, yet compatible with, the historic character of the structure.

*(See Rehabilitation 5.3.5.4.2, Adaptive Use 9.1.1.3; also see National Historic Preservation Act)*

**5.3.5.4.7 Use of Historic Structures.** Because unused historic structures are susceptible to accelerated deterioration due to neglect and vandalism, compatible uses for structures will be found whenever possible. Unused significant historic structures should be stabilized and protected through appropriate measures, such as "mothballing," until long-term decisions are made through the planning process.

All uses of historic structures are subject to preservation and public safety requirements. No administrative or public use will be permitted that would threaten the stability or character of a structure,

the museum objects within it, or the safety of its users, or that would entail alterations significantly compromising its integrity.

*(See Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2, Physical Access for Persons with Disabilities 5.3.2, Adaptive Use 9.1.1.3, Energy Management 9.1.7, Historic Structures 9.4.3.3)*

**5.3.5.4.8 Park Structures Owned or Managed by Others.** Structures and related property owned or managed by others will be managed in accordance with NPS policies, guidelines, and standards to the extent permitted by the Service's interest. This includes structures and property owned but not occupied by the Service, and structures and property owned by others in which the Service has a less-than-fee interest or plays a major management or preservation role. Interests acquired or retained by the Service will enable application of this policy.

*(See Land Protection Plans 3.3, Historic Property Leases and Cooperative Agreements 5.3.3, Historic Properties 10.2.2.3)*

**5.3.5.4.9 Damaged or Destroyed Historic Structures.** Historic structures damaged or destroyed by fire, storm, earthquake, war, or any other accident may be preserved as ruins, or be rehabilitated, restored, or reconstructed in accordance with these policies.

**5.3.5.4.10 Historic and Prehistoric Ruins.** The stabilization of historic and prehistoric ruins will be preceded by studies leading to the recovery of any data that would be affected by stabilization work. Ruins and related features on unexcavated archeological sites will be stabilized only to the extent necessary to preserve research values or to arrest structural deterioration, recognizing that it is preferable to preserve archeological sites in situ than to excavate them. Archeological ruins to be exhibited will not be excavated until consultation has occurred with traditionally associated groups, and adequate provisions are made for data recovery and stabilization. Structures will not be deliberately reduced to ruins, and missing structures will not be reconstructed to appear damaged or ruined.

**5.3.5.5 Museum Collections:** The Service will collect, protect, preserve, provide access to, and use objects, specimens, and archival and manuscript collections (henceforth referred to collectively as "collections," or individually as "items") in the disciplines of archeology, ethnography, history, biology, geology, and paleontology, to aid understanding among park visitors, and to advance knowledge in the humanities and sciences. As appropriate, the Service will consult with culturally affiliated or traditionally associated groups before treating or reproducing items in NPS collections that are subject to NAGPRA.

*(See NPS Museum Handbook)*

**5.3.5.5.1 Preservation.** An item in a museum collection will be preserved in its present condition through ongoing preventive care if:

- That condition is satisfactory for exhibit or research; or
- Another treatment is warranted, but it cannot be accomplished until some future time.



An item will be stabilized if:

- Preventive measures are insufficient to reduce deterioration to a tolerable level; or
- The item is so fragile that it will be endangered under any circumstances.

Active conservation treatment (intervention) will be minimized to reduce the possibility of compromising the item's integrity. All active treatment will be documented.

**5.3.5.5.2 Restoration:** An item in a museum collection may be restored to an earlier appearance if:

- Restoration is required for exhibit or research purposes;
- Sufficient data about that item's earlier appearance exist to enable its accurate restoration; and
- Restoration will not modify that item's known original character.

Restoration will be accomplished using the techniques and materials that least modify the item and in such manner that the materials can be removed at a later time with minimal adverse effect. Restored areas will be distinguishable from original material, and be documented. Restoration will take into account the possible importance of preserving signs of wear, damage, former maintenance, and other historical and scientific evidence.

**5.3.5.5.3 Reproduction.** Items needed for interpretive and educational presentations will be reproduced for such use when the originals are unavailable or would be subject to undue deterioration or loss.

**5.3.5.5.4 Acquisition, Management, and Disposition.** Collections and related documentation essential to achieving the purposes and objectives of parks will be acquired and maintained in accordance with approved scope of collection statements for each park. When museum objects, specimens, or archival documents become available and fall within a park's approved scope of collection statement, every reasonable effort will be made to acquire them, if they can be managed and made accessible according to Service standards.

Archeological objects systematically collected within a park, and natural history specimens systematically collected within a park for exhibit or permanent retention, will be managed as part of the park's museum collection. The management and care of museum collections will be addressed at all appropriate levels of planning. Requisite levels of care will be established through the interdisciplinary efforts of qualified professionals.

Museum collections will be acquired and disposed of in conformance with legal authorizations and current NPS procedures. The National Park Service will acquire only collections having legal and ethical pedigrees. Each park will maintain complete and current accession records to establish the basis for legal custody of the collections in its possession, including intellectual property rights when acquired. Each park will prepare museum catalog records to record basic property management data and other documentary information about the park's museum collection. Collections will be inventoried in accordance with current procedures. Archeological, cultural landscape, ethnographic, historic and prehistoric structure, historic furnishings, natural resource, and other projects that generate collections for parks will provide for cataloging and initial preservation of those collections in the project budget.

The Service may cooperate with qualified entities in the management of museum collections, and, under existing legal authorities, may loan items in collections to such entities for approved purposes. The Service may de-accession items using means authorized in the Museum Act and NAGPRA.

Interested persons will be permitted to inspect and study NPS museum collections and records in accordance with standards for the preservation and use of collections, and subject to laws and policies regarding the confidentiality of resource data. At cost, copies of documents may be provided.

*(See Natural Resource Collections 4.2.6, Confidentiality 5.2.3, Fire Detection, Suppression, and Post-fire Rehabilitation and Protection 5.3.1.2, Environmental Monitoring and Control 5.3.1.4, Consultation 7.5.5, Special Park Uses 8.6, Museum Collections Management Facilities 9.4.2; also see 43 USC 1460, 36 CFR Part 79, 43 CFR Part 10, NPS Museum Handbook)*

**5.3.5.5.5 Historic Furnishings.** When historic furnishings are present in their original arrangement in a historic structure, every effort will be made to preserve them as an entity. Such historic furnishings will not be moved or replaced unless required for their protection or repair, or unless the structure is designated for another use in an approved planning document. The original arrangement of historic furnishings will be properly documented. A structure may be refurnished in whole or in part if:

- All changes after the proposed refurnishing period have been professionally evaluated, and their significance has been fully considered;
- A planning process has demonstrated that refurnishing is essential to public understanding of the park's cultural associations; and
- Sufficient evidence of the design and placement of the structure's furnishings exists to enable its accurate refurnishing without reliance on evidence from comparable structures.

Generalized representations of typical interiors will not be attempted except in exhibit contexts that make their representative nature obvious. Reproductions may be used in place of historic furnishings, but only when photographic evidence or prototypes exist to ensure the accurate re-creation of historic pieces.

*(See Park Planning Processes 2.3, Nonpersonal Services 7.3.2)*

**5.3.5.5.6 Archives and Manuscripts.** Archival and manuscript collections are museum collections, and they will be cataloged, preserved, arranged, and described in finding-aids in ways that preserve the collections and their context (provenance and original order) intact while providing controlled access. With few legal exemptions, the Park Service will make archives and manuscripts available to researchers. Electronic documents that are to be preserved in archival and manuscript collections will be migrated so that their information remains accessible.

All documentation associated with natural and cultural resource studies and other resource management actions will be retained in the park's museum collection for use in managing park resources over time. Parks will retain notes or copies of records significant to their administrative histories when they periodically transfer their official records to federal record centers.

*(See Confidentiality 5.2.3)*